

REMARKS

Within the Office Action, the Examiner restricted prosecution of the claims to the following five groups based upon subject matter. Namely:

Group I, is disclosed in lines 19-24 on page 2;

Group II, is disclosed in lines 24-27 on page 2;

Group III, is disclosed in line 27 on page 2 and also in line 1 on page 3;

Group IV, is disclosed in lines 1-2 on page 3; and

Group V, is disclosed in lines 21-27 on page 3 and also in lines 1-4 on page 4.

The language which is asserted to separately define Group I is reproduced here:

“The apparatus can further include a heat exchanger thermally coupled to the device where at least a portion of the heat exchanger is filled with a thermal capacitance medium for maintaining the temperature value of the device below a maximum allowable temperature during thermal transients. The medium is preferably laterally distributed in the heat exchanger. Either the pump or the fan or both can be controlled such that the temperature value of the device is maintained below a maximum allowable temperature.”

The Office Action asserts that:

“Group I includes “at least a portion of the heat exchanger thermally coupled to the device is filled with a thermal capacitance medium and either one of the pump, and the fan or both of the pump and the fan are controlled such that the temperature value of the device is maintained below a maximum allowable temperature.”

As is well known, a fluid is a thermal capacitance medium. Accordingly, Claim 37 is clearly directed toward this definition of Group I. Claim 37 is generic to all the claims 37-72.

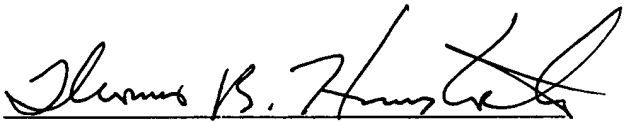
In response to the restriction requirement, Applicants elect Group I, claims 37-72, drawn to a method, without traverse. Accordingly, the claims 1-36 and 73-107 within Group I remain canceled by this Amendment. Claim 71 was previously amended for grammar.

PATENT  
Attorney Docket No.: COOL-01901

In view of the foregoing, Applicants respectfully request examination and allowance of all pending claims, namely claims 37-72, and allowance at an early date would be appreciated. The Examiner is encouraged to call the undersigned at (408) 530-9700 with any questions or comments so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,  
HAVERSTOCK & OWENS LLP

Dated: 11-6-06

By:   
Thomas B. Haverstock  
Reg. No.: 32,571

Attorneys for Applicants

**CERTIFICATE OF MAILING (37 CFR § 1.8(a))**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

HAVERSTOCK & OWENS LLP

Date: 11-6-06 By: 